

P 152145Z MAY 09
FM SECSTATE WASHDC
TO AMEMBASSY SANAA PRIORITY
INFO MISSILE TECHNOLOGY CONTROL REGIME COLLECTIVE PRIORITY

S E C R E T STATE 050258

E.O. 12958: DECL: 05/15/2034
TAGS: PARM MTCRE PREL KN YM

SUBJECT: CONTINUING COOPERATION BETWEEN NORTH KOREA'S
KOMID AND YEMEN (S)

REF: A. SANAA 000441
1B. SANAA 000400
1C. STATE 019783
1D. SANAA 000268
1E. STATE 011248
1F. 08 SANAA 002018
1G. 08 STATE 127312
1H. 08 SANAA 000835
1I. 08 STATE 043685
1J. 03 SANAA 002550

Classified By: ISN/MTR Director Pam Durham;
Reasons 1.4 (B), (C) AND (D).

11. (U) This is an action request. Embassy Sanaa, please see paragraph 5.

12. (S) Background, Purpose, and Objective: In May 2008, the United States shared information with the ROYG concerning planned travel by a Yemeni delegation to North Korea to meet with representatives from the North Korean weapons trading firm Korea Mining Development Corporation (KOMID) (Ref I). In February and March 2009, we raised with the ROYG information that three delegations from KOMID were scheduled to travel to Sanaa in January 2009 (Ref C and E). We understood that KOMID was sending these delegations to Yemen to engage in work probably related to a Scud missile project and that some of these individuals previously had been involved in missile repair work. Since these discussions, we have learned that in April 2009, KOMID's representative to Yemen was working to procure engines for MAZ-543 vehicles and ZIL-131 trucks. MAZ-543 vehicles can be converted for use as transporter-erector-launchers (TELs) for Scud-based missile systems and ZIL-131 trucks can be used as Scud ground support equipment.

13. (S) Because this activity appears to be yet another indicator of renewed missile-related cooperation between Yemen and North Korea, we want to again request Yemeni authorities explain the nature of this cooperation and strongly urge them to refrain from engaging in any missile-related dealings with North Korea. We want to emphasize to the ROYG that working with North Korea on a Scud missile project or ballistic missile repair work clearly violates United Nations Security Council Resolution (UNSCR) 1718, which prohibits all states from acquiring ballistic missiles or ballistic missile-related items from North Korea and acquiring technical assistance related to the provision, manufacture, maintenance, or use of ballistic missiles. Such cooperation with KOMID is inconsistent with recent measures to strengthen the provisions of UNSCR 1718. On April 24, 2009, the UNSCR 1718 Sanctions Committee designated KOMID as subject to the asset freeze provision of UNSCR 1718. This requires Member States to immediately freeze assets belonging to KOMID and prevent any economic resources from being made available to this entity.

14. (S) In addition, this DPRK-Yemen cooperation is of particular concern in light of the ROYG's August 2002 commitment to the United States that Yemen would not import from any source, including North Korea, missiles or missile-related material. Based on this commitment, the United States waived penalties that otherwise would have been required under the U.S. missile sanctions law against Yemeni

entities for engaging in missile-related cooperation with North Korea. Yemen reiterated this commitment in October 2003, informing the United States that it planned to have North Korea install replacement parts needed to repair defective Scuds, but that these repairs would mark the end of Yemeni military cooperation with North Korea (Ref J).

¶ 15. (S) Action request: Request Embassy Sanaa approach appropriate Yemeni officials at a high level to deliver talking points/non-paper in paragraph 6 below and report response. Talking points also may be provided as a non-paper.

¶ 16. (S) Begin talking points/non-paper:

(SECRET REL YEMEN)

-- You will recall that in May 2008, we provided you with information indicating that a Yemeni delegation planned to travel to North Korea to meet with representatives of North Korea's primary weapons trading firm Korea Mining Development Corporation (KOMID).

-- In February and March 2009, we shared with you our concerns regarding plans by three delegations from North Korea to travel to Sanaa in January 2009.

-- We understood that KOMID was sending these delegations to Yemen to engage in work probably related to a Scud missile project and that some of these individuals had been previously been involved missile repair work.

-- We now would like to raise with you information indicating that in April 2009, KOMID's representative to Yemen was working to procure engines for MAZ-543 vehicles and ZIL-131 trucks.

-- MAZ-543 vehicles can be converted for use as transporter-erector-launchers (TELs) for Scud-based missile systems. ZIL-131 trucks can be used as Scud ground support equipment.

-- We are concerned that this activity is yet another indicator of renewed missile-related cooperation between Yemen and North Korea.

-- Your most recent response on this issue claimed that your involvement with North Korea is only related to honoring existing contracts and does not violate United Nations Security Council Resolution (UNSCR) 1718 focusing on North Korea.

-- However, working with North Korea on a Scud missile project or missile repair work clearly violates UNSCR 1718, which prohibits all states from acquiring ballistic missiles or ballistic missile-related items from North Korea and acquiring technical training, advice, services, or assistance related to the provision, manufacture, maintenance, or use of ballistic missiles.

-- Moreover, engaging in such cooperation with KOMID is inconsistent with the recent measures to strengthen the provisions of UNSCR 1718. On April 24, 2009, the UNSCR 1718 Sanctions Committee designated KOMID as subject to the asset freeze provision of UNSCR 1718.

-- This action not only requires Member States to immediately freeze assets belonging to KOMID, but also to "ensure that any funds, financial assets or economic resources are prevented from being made available (to designated entities) by their nationals or by any persons or entities within their territories, to or for the benefit of such persons or entities."

-- As we have noted in our previous discussions of this case, in 2003 Yemen assured the United States that there would be

no further military cooperation or contracts with North Korea.

-- This ongoing cooperation is clearly inconsistent with these commitments and assurances made by your government to the United States regarding missile cooperation with North Korea.

-- In addition, such cooperation with North Korea could potentially result in sanctions against the entities involved under U.S. legal authorities.

-- We therefore again ask that you provide any clarification you can offer on this matter, strongly urge you to refrain from engaging in any missile-related dealings with North Korea, and ask that you shut down any KOMID-related operations in Yemen.

-- Such actions on your part would be consistent with your government's prior assurances to the United States and with UNSCR 1718.

-- We look forward to continuing cooperation on nonproliferation matters.

End talking points/non-paper

¶7. (U) Washington POC is ISN/MTR James Mayes (Phone: 202-647-3185). Please slug any reporting on this issue for ISN/MTR and NEA/ARP.

¶8. (U) A word version file of this document will be posted at www.state.sgov.gov/demarche.

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End Cable Text